

Attorney Docket: 27351U

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U.S. Department Of Commerce, Patent And Trademark Office		Date:12 April 2006(12.04.2006)
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		U.S. Application No.: (if known): 10/575484
International Application No.: PCT/AU2004/001400	International Filing Date: 13 October 2004 (13.10.2004)	Priority Date Claimed: 13 October 2003 (13.10.2003) AU-2003905580
Title of Invention: FOOTWEAR		
Applicants for DO/EO/US: Justin Douglas KING		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>6) <input checked="" type="checkbox"/> 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included to SOLE SURFER INTERNATIONAL PTY LTD, Sydney, New South Wales AUSTRALIA;</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2005/034669 A1, INTERNATIONAL PUBLICATION DATE: 21 APRIL 2005 (21.04.2005), WITH PCT/ISA/210 WHICH CONSISTS OF 25 PAGES: 2 PAGES OF THE COVER SHEET, 14 PAGES OF TEXTUAL SPECIFICATION, 2 PAGES OF 14 CLAIMS, 7 SHEETS OF DRAWINGS; REVISED VERSION OF INTERNATIONAL APPLICATION NUMBER: WO 2005/034669 A1 INTERNATIONAL PUBLICATION DATE: 21 APRIL 2005 (21.04.2005); PRELIMINARY AMENDMENT WITH ATTACHMENT A AND B TO BE EXAMINED; EXECUTED DECLARATION AND POWER OF ATTORNEY; EXECUTED ASSIGNMENT WITH RECORDATION COVER SHEET ASSIGNED TO: SOLE SURFER INTERNATIONAL PTY LTD, SYDNEY, NEW SOUTH WALES AUSTRALIA; PCT/IPEA/409(INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY); PCT/IB/306; POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>		

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U.S. Application Number: (if known) Not Yet Assigned 10/575484	International Application Number: PCT/AU2004/001400	Date: 12 April 2006 (12.04.2006)																																																					
<p>The following fees are submitted:</p> <p>21. Basic National Fee (37 CFR 1.492(a)) \$ 300.00</p> <p>22. Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 All other situations \$ 200.00</p> <p>23. Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$ 400.00 All other situations \$ 500.00</p> <p>Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.</p> <p>ENTER APPROPRIATE BASIC FEE AMOUNT =</p>		CALCULATIONS	PTO USE ONLY																																																				
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<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>		\$ 0.00																																																					
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER: FILED</th> <th>NUMBER: EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>TOTAL</td> <td>14-20=</td> <td>0</td> <td>X \$ 50.00</td> </tr> <tr> <td>INDEPENDENT</td> <td>1-3=</td> <td>0</td> <td>X \$ 200.00</td> </tr> <tr> <td colspan="2">Multiple dependent claims(s) (if applicable)</td> <td></td> <td>+ \$360.00</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>\$ 0.00</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>TOTAL OF ABOVE CALCULATIONS =</td> </tr> <tr> <td colspan="2">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td></td> <td>\$ 0.00</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>SUBTOTAL =</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td></td> <td>\$ 0.00</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>TOTAL NATIONAL FEE =</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td></td> <td>\$ 40.00</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>TOTAL FEES ENCLOSED =</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be: refunded charged</td> <td>\$</td> </tr> </tbody> </table>		CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE	TOTAL	14-20=	0	X \$ 50.00	INDEPENDENT	1-3=	0	X \$ 200.00	Multiple dependent claims(s) (if applicable)			+ \$360.00				\$ 0.00				TOTAL OF ABOVE CALCULATIONS =	Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).			\$ 0.00				SUBTOTAL =	Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +			\$ 0.00				TOTAL NATIONAL FEE =	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$ 40.00				TOTAL FEES ENCLOSED =			Amount to be: refunded charged	\$	\$ 900.00	
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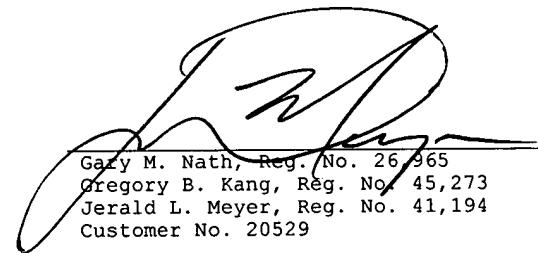
U.S. Application Number: (if known): Not Yet Assigned 107575484	International Application Number: PCT/AU2004/001400	Date: 12 April 2006 (12.04.2006)
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- a. One check in the amount of \$ 940.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. Fees are to be charged to a credit card _____. WARNING: Information on this form may become public _____. Credit Card Information should not be included on this form.
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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Tel: 1-703-548-6284
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Gregory B. Kang, Reg. No. 45,273
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10/575484

IAP9 Rec'd PCT/PTO 12 APR 2006

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Date: April 12, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KING

Serial No.: Not Yet Assigned

Filed: April 12, 2006

Internat'l. Appl. No.: PCT/AU2004/001400

Internat'l. Filing Date: 13 October 2004 (13.10.2004)

Title: FOOTWEAR

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir: Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/034669 A1; International Publication Date: 21 April 2005 (21.04.2005), with Form PCT/ISA/210, consisting of 25 pages:
 - 2 pages of the Cover Sheet,
 - 14 pages of Textual Specification,
 - 2 pages of 14 Claims,
 - 7 sheets of Drawings;
- 4) Revised Version of International Application Number: WO 2005/034669 A1; International Publication Date: 21 April 2005 (21.04.2005);
- 5) **Preliminary Amendment with Attachment A and B to be examined;**
- 6) Executed Declaration and Power of Attorney;
- 7) Executed Assignment with Recordation Cover Sheet assigned to: **SOLE SURFER INTERNATIONAL PTY LTD**, Sydney, New South Wales AUSTRALIA;
- 8) PCT/IPEA/409 (International Preliminary Report on Patentability);
- 9) PCT/IB/306;
- 10) Check No.: 1968 in the Amount of \$ 940.00 for the Basic Filing Fee, which includes the Search and Examination Fees (\$900), as a Small Entity, and for the Fee for Recordation of the Assignment (\$40);
- 11) Postcard for Early Notification of the Serial Number Request

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:

Gary M. Nath, Reg. No. 26,965
Gregory B. Kang, Reg. No. 45,273
Jerald L. Meyer Reg. No. 41,194
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